

### **AMENDMENTS TO THE CLAIMS**

Please cancel claims 9, 11, and 12 without prejudice or disclaimer of the subject matter thereof. This listing of claims will replace all prior versions, and listings, of claims in the application.

#### **Listing of Claims:**

1. (Currently Amended) A measuring probe comprising:

a holder portion which is adapted to be attached to a subject; and

an optical fiber for at least one of irradiation and detection, whose distal end portion on a subject side is retained by the holder portion[.];

wherein the optical fiber is led out from a side surface of the holder portion and is bent inside the holder portion such that the distal end portion is directed to the subject when the holder portion is attached to the subject;

wherein an optical fiber fixing member which fixes the distal end portion of the optical fiber is arranged in the holder portion; and

wherein an optical fiber protecting member which protects the bent portion of the optical fiber is arranged inside the holder portion.

2. (Original) A measuring probe according to Claim 1, wherein an outer peripheral coating is removed from a bent portion of the optical fiber inside the holder portion.

3. (Original) A measuring probe according to Claim 1, wherein the holder portion has a first member to be brought into contact with the subject and a second member combined with the first member.

4. (Original) A measuring probe according to Claim 3, wherein the first member is more flexible than the second member, and wherein the second member is more rigid than the first member.

5. (Original) A measuring probe according to Claim 3, wherein a protecting groove into which the optical fiber is inserted is formed in at least one of the first member and the second member.

6. (Original) A measuring probe according to Claim 1, wherein the holder portion is provided with a through-hole through which the distal end portion of the optical fiber is exposed and an annular protrusion protruding so as to surround the distal end portion of the optical fiber.

7. (Original) A measuring probe according to Claim 1, wherein a space portion for accommodating the bent portion of the optical fiber is provided inside the holder portion.

8. (Original) A measuring probe according to Claim 7, wherein the holder portion has a first member to be brought into contact with the subject and a second member combined with the first member, and wherein the space portion is formed by combining recesses respectively provided in the first and second members.

9. (Cancelled)

10. (Original) A measuring probe according to Claim 9, wherein a space portion for accommodating the bent portion of the optical fiber and the optical fiber fixing member is provided in the holder portion, and wherein a diameter of the space portion is of the same size as an outer peripheral diameter of the optical fiber fixing member.

11. (Cancelled)

12. (Cancelled)

13. (Original) A measuring probe according to Claim 1, wherein a height adjustment jig for adjusting an amount by which the optical fiber protrudes from the holder portion is arranged inside the holder portion.

14. (Original) A measuring probe according to Claim 1, further comprising a curving means provided on the holder portion, for maintaining the holder portion in a configuration curved along the subject.

15. (Original) A measuring probe according to Claim 14, wherein the curving means is mounted to the subject side of the holder portion and is a base plate curved in advance.

16. (Original) A measuring probe according to Claim 14, wherein the curving means is replaceable with respect to the holder portion.

17. (Original) A measuring probe according to Claim 14, wherein the curving means is provided with a connecting portion for connection with an adjacent curving means.

18. (Currently Amended) A living body optical measuring device comprising;

a measuring probe having a plurality of optical fibers that irradiate a subject with measurement light and receive the measurement light returning from the subject; ~~the measuring probe being attached to the subject, and~~  
a holder portion which is adapted to attach the measuring probe to the subject;

wherein the optical fibers are led out from a side surface of the measuring probe and are bent inside the ~~measuring probe~~holder portion such that their distal end portions are directed towards the subject when the measuring probe is attached to the subject;

wherein an optical fiber fixing member which fixes the distal end portion of the optical fibers is arranged in the holder portion; and

wherein an optical fiber protecting member which protects the bent portion of the optical fibers is arranged inside the holder portion.

19. (Currently Amended) A living body optical measuring device according to Claim 18, wherein the measuring probe has a plurality of holder portions,

wherein ~~in~~ in each of the holder portions, the distal end portions of the plurality of optical fibers are arranged at intervals, and

wherein the optical fibers are led out from a side surface of the holder portion.

20. (Original) A living body optical measuring device according to Claim 18, further comprising a fastening fixing member which is put on the subject from above the measuring probe so as to surround the subject and which prevents the measuring probe from being detached from the subject.

21. (New) A measuring probe comprising:

a holder portion which is adapted to attach to a subject; and

an optical fiber for at least one of irradiation and detection, the optical fiber having a distal end portion on a subject side which is retained by the holder portion;

wherein the optical fiber is led out from a side surface of the holder portion and is bent inside the holder portion so that the distal end portion is directed to the subject when the holder portion is attached to the subject; and

wherein an optical fiber protecting member which protects the bent portion of the optical fiber is arranged inside the holder portion.